

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF CHESAPEAKE

JIMMIE D. COTHERN,

Plaintiff,

vs.

Civil Case #: 21-5897

**SWIFT TRANSPORTATION COMPANY
OF VIRGINIA, INC.**

and

ALEXANDER ROMERO, JR.,

Defendants.

COMPLAINT

To the Honorable Judges of the Aforesaid Court:

NOW COMES the Plaintiff, Jimmie D. Cothorn, and respectfully moves the Circuit Court for the City of Chesapeake, Virginia for judgment of and against the Defendants, Swift Transportation Company of Virginia, Inc. and Alexander Romero, Jr., on the grounds set forth herein and in the sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00), together with prejudgment interest from February 23, 2016 and his taxable costs, and in support of his motion the Plaintiff states as follows:

1. On or about February 23, 2016, at or about 3:40 pm, the plaintiff, Jimmie D. Cothorn, was lawfully operating a motor vehicle traveling on 100 Medical Parkway East, at or near its intersection with N. Battlefield Boulevard, in the City of Chesapeake, Virginia.

2. At all times pertinent hereto, the defendant, Alexander Romero, Jr., was

employed by the defendant, Swift Transportation Company of Virginia, Inc. (hereinafter referred to as Defendant Swift Transportation), an agent for and acting within the scope of his employment with Defendant Swift Transportation, a corporation with a principal place of business at 2841 Charles City Road, Richmond, Virginia. Defendant Swift Transportation is therefore liable for the actions of the defendant, Alexander Romero, Jr., as more fully set forth below.

3. At and about the time and place aforesaid, the defendant, Alexander Romero, Jr., was operating a motor vehicle in the lane of travel next to the plaintiff's vehicle on 100 Medical Parkway East, at or near its intersection with N. Battlefield Boulevard, in the City of Chesapeake, Virginia.

4. At all times relevant herein, it was the duty of the defendant, Alexander Romero, Jr., to operate his vehicle with reasonable care in a safe and lawful manner, and with due regard for the safety of others using the roadway, including the plaintiff.

5. At and about the time and place aforesaid, the defendant, Alexander Romero, Jr., carelessly and negligently caused the motor vehicle which he was operating to run on and into the side of the plaintiff's vehicle while attempting to make a right turn from the left lane of travel.

6. Notwithstanding said duties, and in breach of same, defendant Alexander Romero, Jr., so carelessly, recklessly and negligently failed to keep his vehicle in its lane of travel, failed to keep a proper lookout, failed to keep his vehicle under proper control, drove into the plaintiff's vehicle, was traveling faster than the allowable speed, among other acts of negligence, causing the motor vehicle which he was operating to collide with the plaintiff.

7. As a direct and proximate result of the carelessness, recklessness and negligence of the defendant, Alexander Romero, Jr., as aforesaid, Plaintiff Jimmie D. Cothorn, was caused to sustain serious, severe, painful and permanent injuries; has incurred medical and hospital expenses in an effort to be healed and cured and will continue to incur said expenses in the future; has suffered and will continue to suffer great physical pain and mental anguish; has been unable to carry on his usual occupation and activities; has lost time from work and will continue to lose time from work in the future; has lost and will continue in the future to sustain a loss of earning capacity; has been otherwise injured and damaged and will continue to be so injured and damaged.

WHEREFORE, Plaintiff Jimmie D. Cothorn, moves this Honorable Court for judgment against the Defendants, Swift Transportation Company of Virginia, Inc. and Alexander Romero, Jr., jointly and severally on the grounds set forth herein and in the sum of ONE HUNDRED AND THOUSAND DOLLARS (\$100,000.00), together with prejudgment interest from February 23, 2016 and his taxable costs as aforesaid, and for all general and equitable relief.

JIMMIE D. COTHERN

By: 

Of Counsel

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